



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

July 26, 2006

SUBJECT: **2006-0601 – Hsiu-Ye Lin** [Applicant] **Dee A Hast Trustee**
[Owner]: Application for a 13,242 square foot. The property
is located at **954 East El Camino Real** (near Eleanor Way)
in a C-2/PD (Highway Business/Planned Development)
Zoning District. (APN: 313-02-006)

MOTION: Special Development Permit to allow operation of a dance
school in an existing building.

REPORT IN BRIEF

Existing Site Vacant one-story commercial building and partially
Conditions undeveloped lot

Surrounding Land Uses

North	Commercial across El Camino Real
South	Single-family residential
East	Commercial
West	Commercial

Issues Parking

Environmental A Class 1 Categorical Exemption relieves this project
Status from California Environmental Quality Act provisions
and City Guidelines.

Staff Approval
Recommendation

PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	General Business	Same	General Business
Zoning District	C-2/PD	C-2/PD	C-2/PD
Lot Size (s.f.)	13,242	Same	No min.
Gross Floor Area (s.f.)	1,796	Same	No max.
Gross Floor Area of Tenant	1,796	Same	N/A
Lot Coverage (%)	16%	Same	35% max.
Floor Area Ratio (FAR)	16%	Same	No max.
No. of Buildings On-Site	1	Same	N/A
Distance Between Buildings	N/A	N/A	N/A
Building Height (ft.)	11	11	75 max.
No. of Stories	1	Same	8 max.
Setbacks Facing Property)			
Front	41	Same	70 min.
Left Side	44	Same	0 min.
Right Side	0	Same	0 min.
Rear	93	Same	0 min.
Landscaping (sq. ft.)			
Total Landscaping	530	1,902	2,648 min.
Buffer (ft.) Adj. Residential	N/A	N/A	N/A
Parking Lot Area Shading (%)	N/A	0	50% min. in 15 years
Parking			
★ Total Spaces	9	24	56 min.
★ Standard Spaces	9	24	50 min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Accessible Spaces	1	1	1 min.
Aisle Width (ft.)	26	26	26 min.
Bicycle Parking	0	0	2 Min. 1 Class I 1 Class II
Stormwater			
Impervious Surface Area (s.f.)	N/A	11,340	N/A Applicant is not increasing impervious surface by more than 10,000
Impervious Surface (%)	N/A	85%	N/A

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Description of Proposed Project

The applicant proposes to operate a dance school from an existing commercial building. The applicant plans to conduct lessons for up to 35 adults at one time. The applicant proposes to operate from 9:00 a.m. to Midnight seven days a week.

The site was formerly used as a moving truck rental business. The applicant proposes to make use of the existing building on site, with no façade changes. The rear undeveloped portion of the existing site would be paved and landscaped for parking area.

Background

There are no previous Planning permits related to this site.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include modifications to existing structures.

Special Development Permit

Site Layout: The site currently has a one-story building located on the front half of the lot. The applicant proposes to retain the building and upgrade access, parking and landscaping along the front, east and rear portions of the site.

Stormwater Management: The project site exceeds 10,000 square feet but is not adding enough impervious surface to require stormwater management measures. A condition of approval requires the applicant to provide an impervious surface work sheet for the site as well as final parking and landscape plans to be reviewed for incorporation of stormwater best management practices where feasible.

Easements: Per City records, there is no reciprocal access easement onto the project site from the site to the west. Access from the adjacent site is required to be eliminated.

Architecture: The applicant proposes to use the existing one-story building with no façade changes. Staff has included a condition of approval that the building be cleaned and painted.

Landscaping: The site is currently under landscaped. The applicant has provided a conceptual parking and landscape plan indicating additional landscaping adjacent to the new parking stalls. A condition of approval requires that the applicant install landscaping in all areas not utilized for parking stalls, drive aisles or turnaround areas and provide trees to maximize shading in an effort to move towards meeting City standards as much as possible. Also, staff has provided a condition of approval requiring a fifteen foot landscape frontage strip which, although it would eliminate three parking spaces, it would significantly increase landscaping and site appearances as well as resolve the cross access issue that has no supporting easement. A condition of approval also requires planting of one street tree.

The site currently has no protected trees. Protected trees are those that measure 38 inches or greater in circumference when measured at four feet from the ground.

No buffer landscaping is provided between the use and residential properties to the south. There is a City access alley located between the two uses. The proposed dance studio will utilize the alley for ingress and egress.

Parking/Circulation: The applicant's site plan indicates 24 parking spaces. The building on site is approximately 1,796 square feet (1,151 square feet of open dance studio area and 645 of office/restroom area). The Municipal Code standards require a minimum of 57 parking spaces for the use (1 space per 21 square feet of open area and 1 space per 400 square feet of other area).

The applicant's proposal letter states that the school is intended to be primarily for adult dance classes with attendance up to 35 students per class. Staff assumes most adults would come to class alone by car. Through the Special Development Permit process, deviations to the Municipal Code Standards for parking can be considered. As stated above in the landscaping discussion, staff believes the front three parking spaces should be eliminated to provide a wider landscape frontage strip. Staff also would like this area reserved without hindrance by parking or drive aisles for a future 10 foot Public Utility Easement. Staff also believes that class sizes should be limited to a level that can be supported by the available parking. A condition of approval requires that class participation be limited to 21 students.

Compliance with Development Standards/Guidelines: As conditioned, the project will be upgraded to be in increased compliance with City standards, but will still be deficient in parking and landscaping.

Precise Plan for El Camino Real: The project site is located in Opportunity Area 9 of the Precise Plan for El Camino Real. The precise plan calls for primarily retail uses or other uses consistent with the C-2 (Highway Business) Zoning District. The proposed use is consistent with these goals.

Expected Impact on the Surroundings: There are no expected negative impacts from the proposed use on surrounding properties. The parking lay out is required to be modified pending the status of an access easement on the adjacent lot to the west. Class size will be limited through the Special Development Permit so that on-site parking will be adequate. Staff has included a recommended condition of approval limiting the hours of operation to 10:00 p.m. since the site backs up to residential uses and there may be an impact from the noise generated by the voices and cars of a large class leaving the site.

Fiscal Impact

Normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 228 notices were mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website

Conclusion

Recommended Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Permit . Findings and General Plan Goals are located in Attachment A.

Recommended Conditions of Approval: Conditions of Approval are located in Attachment B.

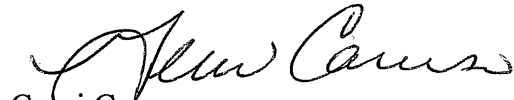
Alternatives

1. Approve the Special Development Permit with conditions of approval proposed by staff.
2. Approve the Special Development Permit with modified conditions of approval.
3. Deny the Special Development Permit.

Recommendation

Alternative 1.

Prepared by:



Gerri Caruso
Project Planner

Approved by:



Steve Lynch
Senior Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letter from the Applicant

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element: Goal C4 - *Sustain a strong local economy that contributes fiscal support for desired city services and provides a mix of jobs and commercial opportunities.*

Land Use and Transportation Element: Policy N1.3 - *Support a full spectrum of conveniently located commercial, public and quasi-public uses that add to the positive image of the City.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project adds to the variety of businesses in the city and is in compliance with the Precise Plan for El Camino Real.
2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as The site will be improved aesthetically with additional landscaping and will provide adequate parking on site.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. The Special Development Permit is granted for a dance studio with a maximum attendance of 21 students with hours of operation from 9:00 a.m. to 10:00 p.m.
- B. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at an administrative public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.
- C. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building permit for this project.
- D. The Special development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- E. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- F. To address storm water runoff pollution prevention requirements, an Impervious Surface Calculation worksheet is required to be completed and submitted for the California Regional Water Quality Control Board prior to issuance of a Building Permit.
- G. Record a lot line adjustment or parcel map to remedy the underlying lot line on the property.
- H. Building shall be painted. Final colors are to be reviewed and approved by the Director of Community Development.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary permits from the Department of Public Works for all proposed off-site improvements.

- B. Obtain approval from the Crime Prevention Division of Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit.
- C. All existing deficient public improvements shall be upgraded to City standards.

3. EASEMENTS AND DEDICATIONS

- A. Dedicate a 6 foot landscape easement and 10 foot Public Utility Easement along the El Camino Real frontage prior to issuance of a Building Permit.

4. EXTERIOR EQUIPMENT

- A. Individual air conditioning units shall be screened with architecture or landscaping features.

5. FENCES

- A. Design and location of any proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.
- B. Chain link and barbed wire fences are not allowed.
- C. Only fences, hedges and shrubs or other natural objects 3 feet or less in height may be located within a "vision triangle" (For definition, refer to Vision Triangle brochure or SMC 19.12.040(16), SMC 19.12.050 (12))

6. LANDSCAPING

- A. Landscape and irrigation plans shall be submitted to the Director of Community Development subject to approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy. The landscape plan shall include the following elements:
 - 1. Provide a planting plan that maximizes parking lot shading. The rear parking area shall meet the City parking lot shading standard of 50%.
 - 2. Provide a minimum 15 foot wide frontage landscape strip along the El Camino Real frontage.
- B. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- C. Prepare a landscape maintenance plan subject for review and approval by the Director of Community Development

- D. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices.
- E. Of new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- F. At the expense of the subdivider, City staff shall install one street tree of a species determined by the Public Works Department. Obtain approval of a detailed landscape and irrigation plan from the Director of Community Development (SMC 19.38.070) prior to issuance of a Building Permit.
- G. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- H. All areas not required for parking, driveways or structures shall be landscaped.
- I. For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building.

7. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development. Driveway and parking area lights shall include the following:
- B. Sodium vapor (of illumination with an equivalent energy savings).
- C. Pole heights to be uniform and compatible with the areas, including the adjacent residential areas.
- D. Provide photocells for on/off control of all security and area lights.
- E. All exterior security lights shall be equipped with vandal resistant covers.
- F. Wall packs shall not extend above the roof of the building.
- G. Lights shall have shields to prevent glare onto adjacent residential properties.
- H. Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements.

8. PARKING

- A. Specify customer and employee parking areas on plans. All such areas shall be clearly marked. Employees shall be required to park on the site.
- B. Eliminate parking ingress and parking stalls along the building frontage.
- C. Remove on-street parking to the west of the driveway to improve visibility. This will require a no parking sign installed to City standards.

9. BICYCLE PARKING

- A. Provide 2 (1 Class I and 1 Class II) bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development.

10. RECYCLING AND SOLID WASTE

- A. Submit details of a trash enclosure to be provided on site to the Director of Community Development for approval.

11. SIGNS

- A. All existing/new signs shall be in conformance with Sunnyvale Municipal Code and shall be reviewed under a separate permit.

954 E. EL CAMINO REAL, SUNNYVALE, CA. 94087

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SITE PLAN

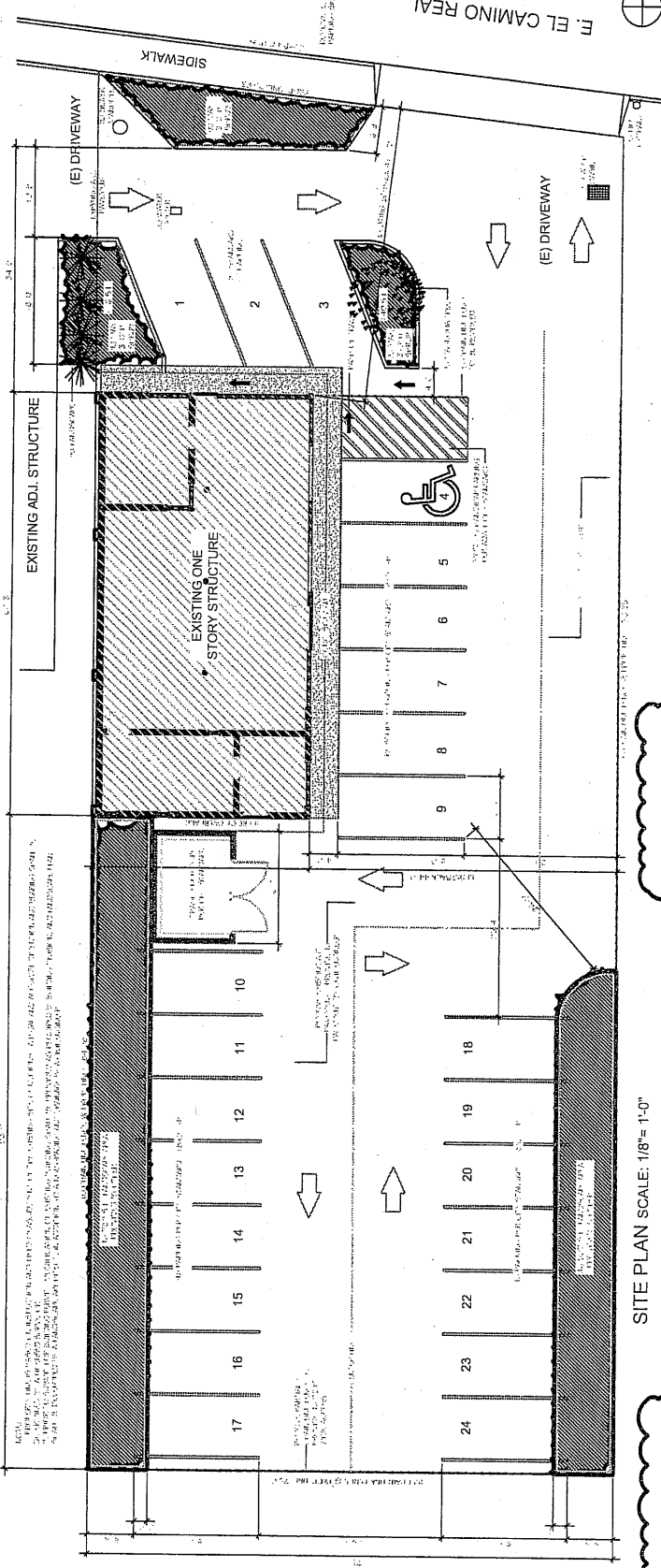


HEALTHY ISLAND DANCE STUDIO
"THAT APPROVED"
504 E. EL CAMINO REAL
SUNNYVALE, CA 94087

DATE	DESCRIPTION	BY
4/17		TC
DATE: MAY 20, 2006		
SCALE: AS NOTED		
DRAWN BY: TC		
CHECKED BY: Q'S + DB		

SHEET
A1

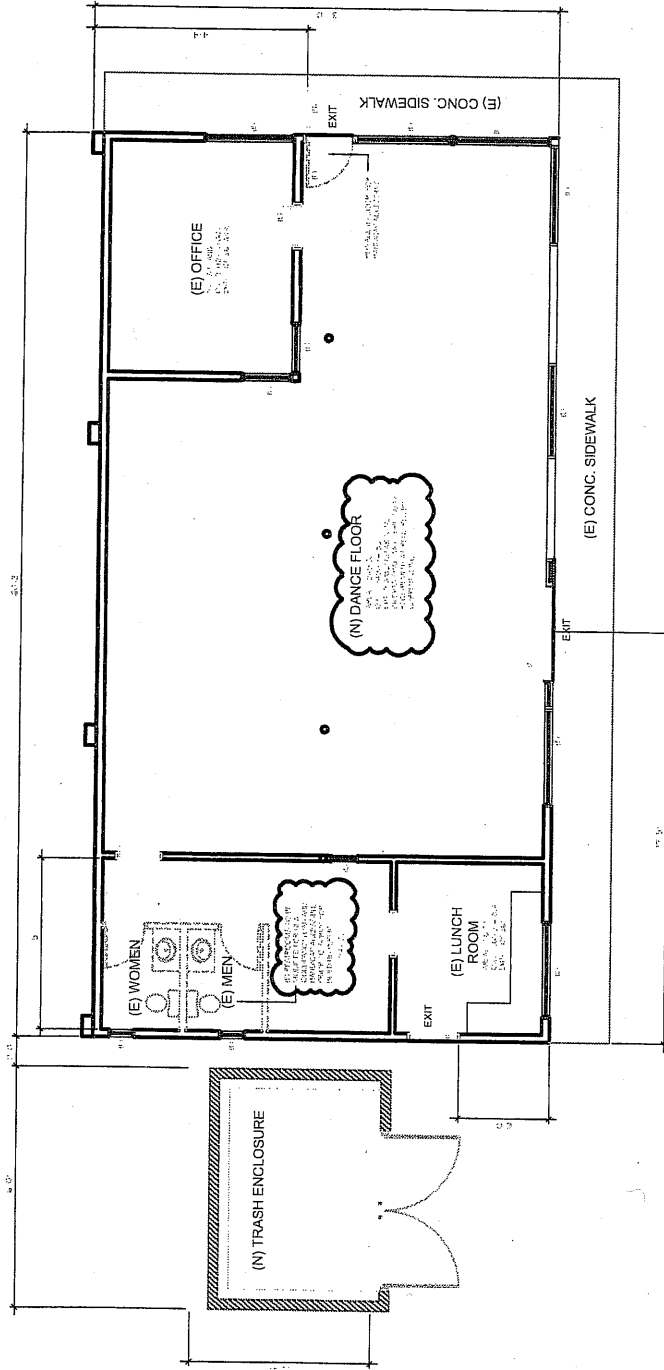
ATTACHMENT C
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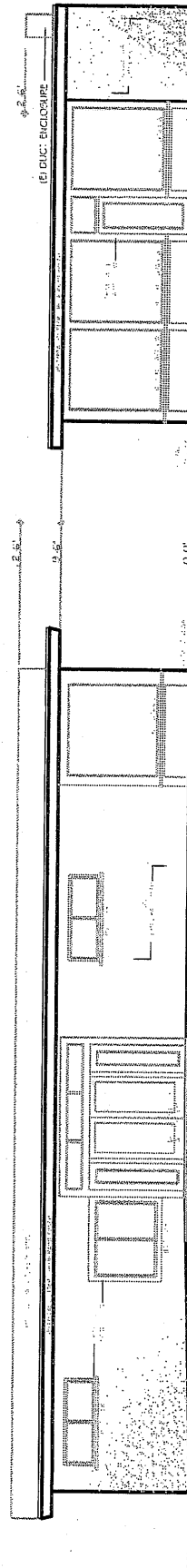
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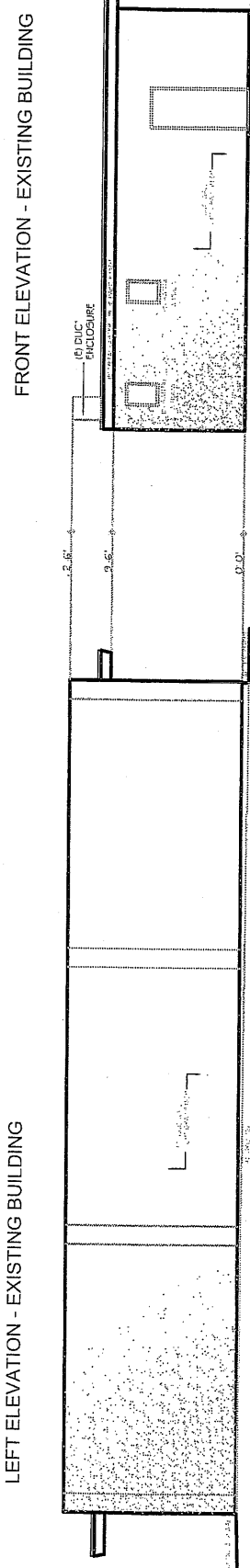
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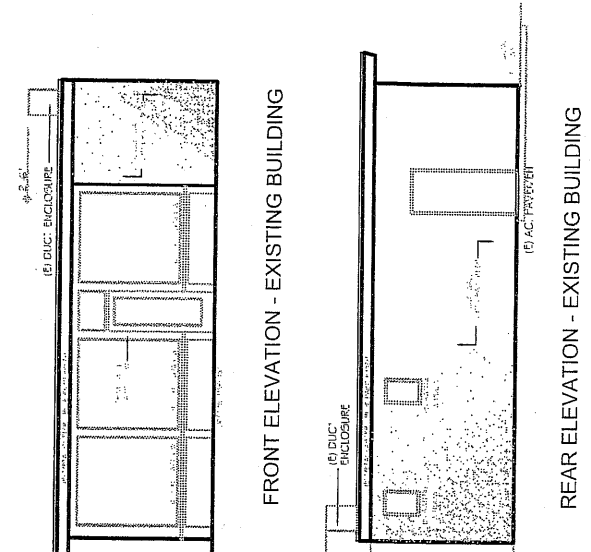
FLOOR PLAN



LEFT ELEVATION - EXISTING BUILDING



RIGHT ELEVATION - EXISTING BUILDING



FRONT ELEVATION - EXISTING BUILDING

REAR ELEVATION - EXISTING BUILDING

Project Description

Project: Special Development permit for dance studio
Location: 954 E. El Camino Real, Sunnyvale, CA
Parcel#: 313-02-006
Name of Applicant: Tammy Lin
Business Owner Name: Tammy Lin
Current Site Owner: Long Nguyen
Total Lot Size: 13,068 sq.ft.
Existing Building Size: 1,800 sq.ft.
Zoning: C-2/PD

The applicant is in a process of starting a new, membership-based dance studio at the subject site and is requesting a special development permit from the city.

This proposed dance studio serves only adult populations with the average age of 40 years old.

- * Type of dance: Ballroom, Ballet, Folk Dance, Jazz, Tap Dance and Yoga
- * Days & Hours of operation: 9 AM to Midnight, 7 days a week
- * Number of employees: 1 (Tammy Lin - owner)
- * Number of dance sessions per day: 5 max.
- * Breakdown of total members per dance session:
 - 1 member – 10%
 - 2 to 6 members – 20%
 - 7 to 20 members – 40%
 - 21 to 35 members – 30%

A proposed parking space design would be sufficient for a minimum of 17 cars. The proposed project is based on the use of the existing building and does not propose any major changes to the existing structure at this time.

The location was once occupied by a rental truck business. However, It is currently vacant. The site is surrounded with a mixture of hotel, restaurant & bar, and retail store uses.

X

Tammy Lin, Applicant